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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JEANETTA JOHN-LaFON,

Plaintiff,

- against -

UNITED STATES OF AMERICA.

Defendant.
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MEMORANDUM AND ORDER

09-mc-559 (NG)

GERSHON, United States District Judge:

Based upon a plea of guilty, Jeanetta John-LaFon was convicted of one count of bank fraud, and was sentenced to 4 years of probation, restitution, and a special assessment fee. She has filed this action *pro se*, asking the court to expunge her criminal record on the grounds that she has been “rehabilitated” and now seeks to practice her chosen career as a registered nurse.

Although the district court has the authority to use its equitable powers to expunge records, “the power to expunge is a narrow one,” and “should be reserved for the unusual or extreme case.” *United States v. Schnitzer*, 567 F.2d 536, 539 (2d Cir. 1977) (internal quotation marks omitted). The Second Circuit has found expungement warranted in the following extreme instances: (1) where mass arrests made probable cause impossible to determine; (2) where arrests were made strictly to harass civil rights workers; (3) where an arrest and conviction were supported by a statute later declared unconstitutional; and (4) where the government misused criminal records. *United States v. Robinson*, No. 04-CR-0580, 2007 WL 2077732, at *2 (E.D.N.Y. July 18, 2007) (citing *Schnitzer*, 567 F.2d at 540).

John-LaFon has not identified any of these or other extreme circumstances in her case. Although she alludes to problems her conviction may pose to her nursing career, she pled guilty to her crime, and the resulting consequences do not alone warrant expungement. *See id.* at *3.

Whether her record affects her ability to practice as a nurse, therefore, is not an issue for this court to decide. *See id.* at *5. (“It is not the province of the court to substitute its own judgment about the licensing of teachers in New Jersey by expunging a criminal record from a system whose purpose is to provide a repository of information for use in making such determinations.”)

For the foregoing reasons, John-LaFon’s application for expungement is denied.

SO ORDERED.

s/Hon. Nina Gershon

NINA GERSHON
United States District Judge

Dated: October 26, 2009
Brooklyn, New York